

REMARKS

Claims 11 and 15 have been amended by adding a new limitation to clarify the claimed invention. Claims 21-24 have been amended to specify which proton-conducting organic compound is being referred. Support for the amendment to Claim 1 is presented in the specification (page 18, line 23 ~ page 19, line 1) for example. Support for the amendment to Claims 21-24 is presented in the specification (page 25, line 23-24, and page 25, line 16-18) for example. Thus, no new matter has been added. Applicants respectfully request entry of the amendments and reconsideration of the present application in view of the amendments and following remarks.

Claim Rejections – 35 USC § 112

Claims 21-24 have been rejected under 35 U.S.C. § 112, as being indefinite. A recitation “the proton conducting organic compound” has been found to be indefinite since the claims fail to specify which proton organic compound is being referred to. Claims 21-24 have been amended to specify which proton-conducting organic compound is being referred. Applicants respectfully request withdrawal of the rejections.

Claim Rejections – 35 USC § 103

Claims 11-13, 15, 18, 19, 21, and 23 have been rejected under 35 U.S.C. § 103, as being unpatentable over Takeuchi in view of Hara as evidenced by Hand Book of Batteries (HoB). The new reference Takeuchi discloses a proton migration type secondary battery using quinoxaline as electrode active material. Since Takeuchi does not disclose the use of anion exchange resin, the Examiner combines Takeuchi and Hara along with HoB and equates the combination with Claims 11 and 15. Although Hara teaches the use of anion exchange resin, the resin is used as reinforcement of the electrode. Therefore the resin is dispersed and kneaded. (abstract) However, Claims 11 and 15, as amended herein, recite a new limitation “the anion exchange resin contained only in a surface layer of the electrode.” Thus, the cited combination of references does not lead to the presently claimed invention.

Moreover, the newly claimed feature creates new and unexpected advantages. In particular, excessive increase in water content of the electrode can be avoided. This prevents a

deterioration of handling property and increases the electric resistance. (page 19, line 15~23). Accordingly, Claims 11 and 15 not only define a novel feature but also provide the new advantages. Thus, Claims 11 and 15 should not be rejected on this ground. The rest of the rejected claims are dependent from Claims 11 or 15. Therefore, with the same reason presented to the claims, these should not be rejected on this ground either. Applicants respectfully request withdrawal of the rejection.

Claim Rejections – 35 USC § 103

Claims 16 and 17 have been rejected under 35 U.S.C. § 103, as being unpatentable over Takeuchi, Hara, Hand Book of Batteries (HoB) and in view of Aldecoa. Aldecoa is silent about a battery structure and Claims 16 and 17 are both ultimately dependent from Claim 15, which is patentable for the reasons described above. Therefore, Claims 16 and 17 are patentable. Applicants respectfully request withdrawal of the rejection.

Claim Rejections – 35 USC § 103

Claims 22 and 24 have been rejected under 35 U.S.C. § 103, as being unpatentable over Takeuchi, Hara, Hand Book of Batteries (HoB) and in further view of Kurosaki. Kurosaki is silent about the anion exchange resin contained only in the surface of the electrode, and Claims 22 and 24 are dependent from Claims 11 and 15 respectively. Therefore, for the same reasons presented with respect to Claim 11 and 15, Claims 22 and 24 are patentable. Applicants respectfully request withdrawal of the rejection.

CONCLUSION

In the light of the applicant's amendments to the claims and the foregoing Remarks it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersign at the telephone number appearing below.

Application No.: 10/827,074
Filing Date: April 19, 2004

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

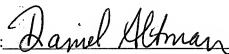
Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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